

UNRESOLVED QUESTIONS, FEB 12, 2019

Rezoning request at 2323 South Lamar, Case C14-2018-0128

(To add V overlay and change existing CO on GR and LO parcels to accommodate a VMU project with 180 residential units)

1. Prohibition of residential development. Existing subdivision notes restrict these parcels “to other than residential development.”

- a) Why did the City of Austin impose these restrictions on this subdivision? **Additional research would be required to determine the issues in this specific case, but this note was typically added to plats to avoid paying parkland dedication fees at time of subdivision.**
- b) What is the procedure for removing or amending subdivision notes? **An amended plat would be required.**
- c) Does the Planning Commission need to consider the subdivision amendments concurrently with the rezoning? **No, they can occur after zoning and prior to/concurrent with site plan approval.**

2. Limits on Bluebonnet traffic. Existing CO restricts the entire property (total 1.86 acres in three parcels) to 2,000 trips per day, “considered cumulatively with all existing or previously authorized development and uses,” and limits access to Bluebonnet to one driveway cut.

The conditions reflect a neighborhood traffic analysis in June 2008. The analysis assumed that the site would be developed with only 3,800 sf of retail use (no residential), which would generate 1,026 vehicle trips per day (vpd). In 2008, Bluebonnet and Del Curto were rated as residential collector streets with pavement widths of only 20 feet, which means they were limited to 1,200 vpd under LDC 25-6-116. The analysis calculated that 70% of trips would be on Lamar and 30% would be on Bluebonnet, with 540 vehicles turning right toward Lamar and 60 turning left to Del Curto. It also assumed that Bluebonnet would be widened from the driveway to Lamar, increasing the operating capacity on that part of the street to 4,000 vpd.

- a) How many VMU residential units can be built on this property under the existing 2,000-trip limit? **It is unclear exactly how many residential units could be built as it depends on the other uses associated with the development. The first floor of the development would not allow residential units.** What is the minimum nonresidential use required for a VMU project? **The non-residential use would be on the first floor and potentially the second floor. It is unclear at this time what the minimum use or associated vehicle trips would be. The combination of the residential trips and vehicle trips could not exceed 2,000 trips with the conditional overlay.** In other words, how would one maximize the residential component and minimize the commercial traffic to keep the project within the 2,000-trip limit? **There are too many variables to make a reasonable determination. To get a better idea, 2,000 daily vehicle trips = 367 dwelling units of 221 mid-rise apartments or 270 DU of 220 low-rise apartments using standard ITE trip generation rates. Realistically, 250-300 DU might be a best guess for the maximum amount of residential.**
- b) What is the current vpd estimate for Walgreens, **very rough estimate at between 1300 – 1600 daily trips using ITE rates. It would be expected that much of this traffic comes in off Lamar.** the other existing uses on Bluebonnet, **More specifics are required to determine which developments that the public is interested in; also more time would be required to research the size and specifics of each land use, and the 18 residential units proposed at 2505 Bluebonnet, produce 95 daily trips?** Is the western part of the street

already maxed out at 4,000 vpd? It is unclear as traffic counts would be required to determine the existing traffic. More time is required to determine if counts are available or previous traffic studies have been conducted on the street.

- c) Are the eastern part of Bluebonnet and all of Del Curto still rated as residential collectors with a limit of 1,200 vpd? Both street would be rate Level 2 (functionally a collector) per the draft Austin Street Design Guide, with a typical ADT range of 2000 – 5000 vpd.
- d) Is the Transportation Department moving forward with the left-turn restrictions proposed in the South Lamar Corridor plan, detouring all southbound traffic to a new traffic signal at Del Curto? How does that change the 70/30 split for Lamar/Bluebonnet trips at this property? Yes, this is the Austin Transportation Department's plan going forward. Any westbound left-turn traffic on Bluebonnet would re-route and use the new signal at Del Curto to make the left.
- e) Will the policy of eliminating all driveways on South Lamar be applied to the VMU project (or any other project) proposed at this site? If so, will an additional driveway be required on Bluebonnet? It is anticipated that driveway access would not be allowed on Lamar and that only one access would be permitted onto Bluebonnet. However, this determination would be made with a site plan.
- f) Where and when does the City expect to acquire additional rights-of-way to widen Bluebonnet and Del Curto, reconfigure the intersection of Bluebonnet and Del Curto, and reconfigure the intersection of Bluebonnet and South Lamar, as proposed in the South Lamar Corridor Improvement Program? There is not specific plan at this time other than what is mentioned in the South Lamar Boulevard Corridor Improvement Program Final Report. The ROW may be required of developments at the intersection as mitigation. What portion of the \$1.45 million cost will be contributed by this property, and will that cost change if the 2,000-trip limit is removed from this site? The determination of cost participation would be determined as a non-tia mitigation at the time of site plan. If the 2,000-trip limit is removed a TIA would be required and the mitigations would likely be greater.
- g) Will the applicant be required to pay most of the \$600,000 cost of constructing a northbound right-turn bay and bus queue jump at Bluebonnet and South Lamar, as estimated in Table 7-1 of the South Lamar Corridor Improvement Program? How much, and when? Will that cost change if the 2,000-trip limit is removed from this site? The fiscal requirements of the development would not be determined with this zoning change and a 2,000-trip limit. The required mitigations and fiscal participation would be determined at site plan as non-tia mitigations following the mitigation ordinance. If the 2,000-trip limit is removed, the applicant would have to go through the TIA process to determine their mitigations. This is a zoning case, and it is difficult to determine mitigations until more specifics of the site are established with the site plan.

3. Need for additional drainage easements. Existing regulations, the private restrictive covenant, and the Del Curto Storm Drainage Improvement Project effectively prevent any construction on much of the unpaved portion of the southeastern parcel. If most of that parcel must be dedicated to stormwater detention and drainage, rezoning it would be pointless.

- a) Where is the existing easement?

There is an existing 10 foot easement along the existing storm drain pipe along the southern portion of the property. The screen capture below indicates the approximate location of the storm drain pipe.



b) Where is the City planning to acquire additional easements?

As part of the Del Curto storm drain project, the City proposes to acquire an additional 15 feet along the existing easement.

c) How much detention is required, and where is the best location for that detention?

The size and location of required detention will be determined by the design engineer in accordance with the Land Development Code, which includes additional detention requirements in this geographic area as per section 25-7-66 of the LDC.

d) Where is the proposed parking garage to be located on the site, and will it conflict with the stormwater detention and drainage easements?

The location of the proposed parking garage will be determined by the design engineer. If the proposed location conflicts with the existing or proposed drainage easements, the design engineer may offer a different location for the drainage easement if it satisfies the intent of the drainage easement.

We have met with the developer and design engineer to discuss the drainage requirements regarding the drainage easement and Del Curto storm drain project. We anticipate that these discussions will continue as the site design progresses.

4. Inconsistencies in conditional and Vertical Mixed Use overlays. The conditional overlay in the current zoning ordinance applies to all three parcels, but the ordinance does not state the affordability levels or the parking reduction attached to the existing VMU overlay.

a) Can the conditional overlay (for example, the 2,000-trip limit) be changed on one of the parcels without rezoning the other two parcels? **Yes.** If the CO is changed, will the case have to be reposted to include the entire property (not just the rear parcel)? **If the Applicant requests changing the trip limit CO for the entire tract, that will be an additional zoning case. The Applicant is not requesting that the trip limit be removed at this time on the proposed rezoning tract.**

- b) Does the existing overlay require 10% of new residential units to be available at 80% MFI or 60% MFI? **80%**
- c) Must the existing VMU overlay be extended as is to the rear parcels, or may the City Council approve additional affordability on the rear parcels? **Council cannot require affordability on the rear parcels unless the project is participating in a density bonus program like VMU.** May the City Council approve changes to the VMU overlay on the front of the property without reposting the rezoning case? (Same question as 4a above.) **No, any modification of zoning, including VMU, would need to be a new case since the front property is not part of this rezoning request.**
- d) Does the existing overlay allow a parking reduction to 60% or only 80%? **60%**
- e) May the City Council change the parking requirement as it applies to the entire property (not just the two non-VMU parcels)? **No, any modification of zoning, including VMU, would need to be a new case since the front property is not part of this rezoning request.**